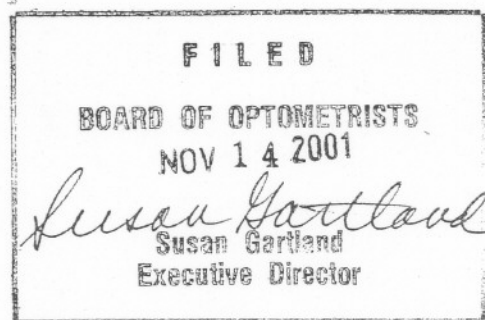


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF OPTOMETRISTS

IN THE MATTER OF THE LICENSE OF

JUSTIN CATANDO, O.D.

TO PRACTICE OPTOMETRY
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was most recently opened to the New Jersey State Board of Optometrists ("Board") by the issuance of a Uniform Penalty Letter ("UPL") from the Board, dated April 11, 2001. The UPL alleged that in the January 2001 issue of "Inside Your Town" magazine, Respondent Justin Catando, O.D., published an advertisement/article entitled "\$1000 savings on Laser Eye Surgery." The UPL alleged that the advertisement included the abbreviation of doctor before Respondent's name, but did not include the designation of optometrist immediately after his name, in violation of N.J.S.A. 45:12-26 and N.J.A.C. 13:38-1.4(d). In addition, the UPL alleged that the advertisement appeared to offer a discount for another practitioner's practice, in violation of N.J.A.C. 13:38-1.2(b), which prohibits "misleading or deceptive" advertising practices. Finally, the UPL alleged that the advertisement did not include Respondent's license and certification number, in

violation of N.J.A.C. 13:38-1.2(l). Respondent admits all of the above actions and admits that such actions constitute violations of N.J.S.A. 45:12-26, N.J.A.C. 13:38-1.4(d), N.J.A.C. 13:38-1.2(b), and N.J.A.C. 13:38-1.2(l).

The parties having consented to the entry of this Order as a resolution of this matter without the necessity of formal administrative proceedings available to the Board, and the Board finding the within Order to be adequately protective of the public interest;

IT IS on this 14th day of November, 2001,

ORDERED:

1. Respondent Justin Catando, O.D., shall cease and desist from violating any of the Board's statutes and regulations, including, but not limited to N.J.S.A. 45:12-26, N.J.A.C. 13:38-1.4(d), N.J.A.C. 13:38-1.2(b), and N.J.A.C. 13:38-1.2(l).
2. Respondent shall pay a civil penalty in the amount of \$250.00 by certified check or money order payable to the Board of Optometrists and sent to the attention of the Executive Director, P.O. Box 45012, Newark, New Jersey 07101. The payment shall be made within ten (10) days of service of this Order.

STATE BOARD OF OPTOMETRISTS

By



Leonard Strulowitz, O.D.

President

I have read and understood the within Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order. I understand that this Order has serious legal consequences and have decided to enter into this agreement with the Board without the advice of legal counsel, as is my right.


Justin Catando, O.D.